



**ARIZONA STATE SENATE**  
***Fifty-Fifth Legislature, Second Regular Session***

**FACT SHEET FOR H.B. 2319**

law enforcement activity; recording prohibition

Purpose

Prohibits a person from making a video recording of a law enforcement activity within eight feet of the law enforcement activity, with certain exceptions.

Background

A person commits obstructing governmental operations if, by using or threatening to use violence or physical force, the person knowingly obstructs, impairs or hinders: 1) the performance of a governmental function by a public servant acting under color of the public servant's official authority; or 2) the enforcement of the penal law or the preservation of the peace by a peace officer acting under color of the peace officer's official authority. Obstructing government operations is a class 1 misdemeanor ([A.R.S. § 13-2402](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a person from knowingly making a video recording of a law enforcement activity within eight feet of where the law enforcement activity is occurring without permission from a law enforcement officer.
2. Allows a person, if a law enforcement activity occurs in an enclosed structure, to record the law enforcement activity from within eight feet in an adjacent room or area, unless a law enforcement officer determines that:
  - a) the person is interfering with the law enforcement activity; or
  - b) it is not safe to be in the area and orders the person to stop recording or leave the area.
3. Allows a person who is the subject of police contact to record the encounter if the person is not interfering with lawful police actions, including searching, handcuffing or administering a field sobriety test.
4. Allows the occupant of the vehicle who is subject to a police stop to record the encounter if the occupant is not interfering with lawful police actions.
5. Classifies *unlawful video recording of law enforcement activity* as a petty offense, unless a person fails to comply with a verbal warning of a violation or has been previously convicted of a violation in which case an offense is a class 3 misdemeanor.

FACT SHEET

H.B. 2319

Page 2

6. States that this legislation does not establish a right, or authorize any person, to make a video recording of a law enforcement officer.
7. Defines *law enforcement activity* as:
  - a) questioning a suspicious person;
  - b) conducting an arrest, issuing a summons or enforcing the law; or
  - c) handling an emotionally disturbed or disorderly person who is exhibiting abnormal behavior.
8. Becomes effective on the general effective date.

House Action

MAPS	2/15/22	W/D	
APPROP	2/21/22	DPA	7-5-0-1
3 <sup>rd</sup> Read	2/23/22		31-28-1

Prepared by Senate Research

March 15, 2022

ZD/sr